

U.S. DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

FILED NOV 16 2007

UNITED STATES JUDICIAL PANEL  
ON MULTIDISTRICT LITIGATION  
CLERK

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

OCT 31 2007

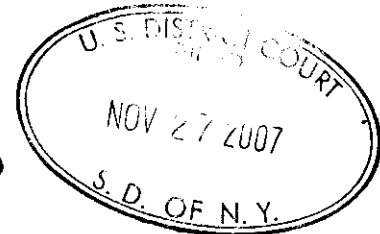
FILED  
CLERK'S OFFICE

MARKETING, SALES PRACTICES  
AND PRODUCTS LIABILITY LITIGATION

MDL No. 1657

(SEE ATTACHED SCHEDULE)

**CONDITIONAL TRANSFER ORDER (CTO-122)**



On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 6,415 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

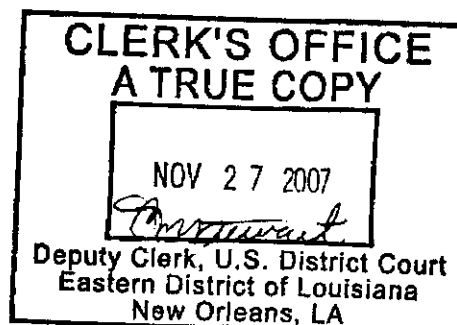
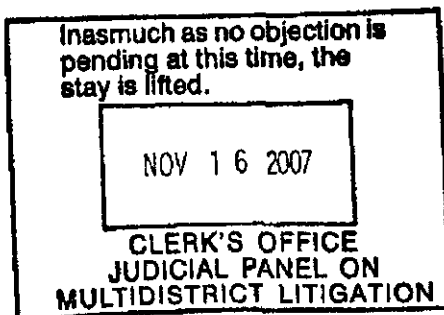
FOR THE PANEL:

*Jeffery M. Luthi*  
Jeffery M. Luthi  
Clerk of the Panel

CLERK

BY J. MICHAEL McMAHON,

DEPUTY CLERK



Fee \_\_\_\_\_  
Process \_\_\_\_\_  
X Dkt'd *CMA*  
Clerk Dep. *2007*  
Res. No. \_\_\_\_\_

**IN RE: VIOXX MARKETING, SALES PRACTICES  
AND PRODUCTS LIABILITY LITIGATION**

MDL No. 1657

**SCHEDULE CTO-122 - TAG-ALONG ACTIONS**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA SEC. I/3</u>
FLORIDA MIDDLE FLM 3 07-952	Millie Powell, etc. v. Merck & Co., Inc.	07-9120
FLORIDA SOUTHERN FLS 9 07-80959	Howard Whitsett, et al. v. Merck & Co., Inc.	07-9121
MINNESOTA		
MN 0 07-4217	Tim Derk, et al. v. Merck & Co., Inc.	07-9122
MN 0 07-4246	Michael Baxter, et al. v. Merck & Co., Inc., et al.	07-9123
MN 0 07-4247	Jacqueline Harvin, et al. v. Merck & Co., Inc., et al.	07-9124
MN 0 07-4248	Hope Phillips, et al. v. Merck & Co., Inc., et al.	07-9125
MN 0 07-4249	Bruce Sims, etc. v. Merck & Co., Inc., et al.	07-9126
MN 0 07-4260	Vickie L. Titcombe, et al. v. Merck & Co., Inc., et al.	07-9127
MN 0 07-4261	Matthew Troisi, etc. v. Merck & Co., Inc., et al.	07-9128
MN 0 07-4262	Antonia Tucker, etc. v. Merck & Co., Inc., et al.	07-9129
MN 0 07-4263	Carl L. Woodall v. Merck & Co., Inc., et al.	07-9130
MISSISSIPPI NORTHERN		
<del>MSN 2 07-194</del>	<del>Dollie Powell v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 11/13/07</del>
<del>MSN 4 07-166</del>	<del>Cecelia Jensen, etc. v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 11/13/07</del>
<del>MSN 4 07-169</del>	<del>Charles Erving, et al. v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 11/13/07</del>
NORTH CAROLINA WESTERN		
NCW 3 07-427	Lynn McGrath v. Merck & Co., Inc.	07-9131
NEW YORK EASTERN		
NYE 1 07-714	Jean Civil, et al. v. Merck & Co., Inc.	07-9132
NEW YORK SOUTHERN		
NYS 1 07-8645	John Stamant v. Merck & Co., Inc.	07-9133
NYS 1 07-8784	Louise Nardella v. Merck & Co., Inc.	07-9134
NYS 1 07-9279	Jennifer Catalfamo, et al. v. Merck & Co., Inc.	07-9135
SOUTH DAKOTA		
SD 4 07-4150	Robert E. Johnson, et al. v. Merck & Co., Inc.	07-9136
SD 4 07-4151	Ronald G. Bollinger v. Merck & Co., Inc.	07-9137
TEXAS NORTHERN		
TXN 3 07-1755	Johnny Jackson, et al. v. Merck & Co., Inc.	07-9138
VIRGINIA EASTERN		
VAE 2 07-451	Dorothy Ann Collins v. Merck & Co., Inc.	07-9139